

REMARKS

Applicant requests favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

Claims 32-40 are presented for consideration, with claims 32, 35, 36, and 38-40 being independent.

By this amendment, claims 32, 33, and 35-40 have been amended, and claims 41 and 42 are newly added. Support for the amendments and for the new claims may be found in the application, as originally filed. No new matter has been added.

Claims 32 and 35-40 stand rejected under 35 U.S.C. § 103 as unpatentable over U.S. Patent No. 5,347,545 (Ishii) in view of U.S. Patent No. 6,192,230 (van Bokhorst et al.). Claims 33 and 34 stand rejected under 35 U.S.C. § 103 as unpatentable over Ishii in view of van Bokhorst et al., and further in view of U.S. Patent No. 6,571,103 (Novakov). Applicant traverses these rejections.

In aspects of Applicant's invention, each of independent claims 32, 35, 38, and 39 recites, inter alia, that in a case that a device receives a low power consumption mode transit request to transit from a present mode to a low power consumption mode and prohibit any transmission until the low power consumption mode is released, a predetermined negotiation with the device is executed in order to prevent transiting a present mode to a low power consumption mode and prohibiting any transmission even though the device receives the low power consumption mode transit request. Claims 32 and 38 also feature broadcasting the low power consumption mode transit request after predetermined negotiation with the device is executed.

In a further aspect of Applicant's invention, each of independent claims 36 and 40 features executing a predetermined negotiation with a device before data transmission, receiving a low power consumption mode transit request to transit from a present mode to a low power consumption mode and prohibit any transmission, and, when a low power transit request is received, transiting the communication apparatus from a present mode to a low consumption power mode and prohibiting any transmission according to presence or absence of execution of the predetermined negotiation with the device.

Applicant submits that many of these features are not taught or suggested by the cited documents, whether those documents are taken alone or in combination.

Ishii et al. relates to a multi-terminal communication equipment for smoothly and correctly communicating data between a plurality of terminal equipments. Applicant understands this patent to teach a network of terminals in which, before transmission of information between terminals, a transmission disabling code is sent to disable transmission of data from/to other terminals.

Van Bokhorst et al. relates to a wireless data communication system having a power saving function. Applicant understand this patent to teach that a wireless data communication system is operable in a power saving mode wherein stations are synchronized to be in an awake state to receive synchronizing messages and are changed to a doze state if they are not to receive data messages.

However, neither Ishii et al. nor van Bokhorst et al. is understood to teach or suggest many features of Applicant's claimed invention. Specifically, neither of those patents is understood to teach or suggest that, in the case that the device receives a low power consumption mode transit request to transit from a present mode to a low power consumption

mode and prohibit any transmission until the low power consumption mode is released, executing a predetermined negotiation with the device in order to prevent transiting from a present mode to a low power consumption mode and prohibiting any transmission even though the device receives the low power consumption mode transit request, as recited in independent claims 32, 35, 38, and 39. Those patents also are not understood to teach or suggest broadcasting the low power consumption mode transit request after the negotiation, as recited in independent claims 32 and 39. Moreover, Ishii et al. and van Bokhorst et al., whether taken alone or in combination, do not teach or suggest that, in a case that a low power consumption mode transit request is received, transiting the communication apparatus from a present mode to a low consumption power mode and controlling the communication apparatus to prohibit any transmission according to presence or absence of execution of a predetermined negotiation executed before data transmission, as recited in independent claims 36 and 40.

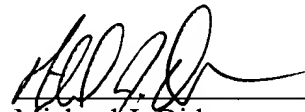
Novakov relates to establishing a communication link, and is understood to be cited merely for teaching features of dependent claims. That patent, however, fails to remedy the deficiencies of Ishii et al. and van Bokhorst et al. discussed above.

For the foregoing reasons, Applicant submits that independent claims 32 and 35-40 recite features that patentably define over the cited patents. Favorable reconsideration and withdrawal of the Section 103 rejections of the dependent claims are therefore requested.

The remaining claims depend from one of the independent claims and are believed to be allowable by virtue of their dependency from an allowable base claim, as well as for reciting additional patentable features of Applicant's invention. Independent consideration of the dependent claims is requested.

Applicant's undersigned attorney may be reached in our Washington, D.C., office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. J. Didas", is written over a horizontal line.

Michael J. Didas
Attorney for Applicant
Registration No. 55,112

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

MJD:eyw

DC_MAIN 211303v1